

Exhibit

A

Exhibit
A-1

Donald L. Helling, et. AL, Petitioners
VS.

William McKinney

509 US 25, 125 L Ed 2d 22, 113 S Ct 2475

Argued January 13, 1993

Decided June 18, 1993

Health risk allegedly posed by prison personnel's exposure of inmates to environmental tobacco smoke held to form proper basis of claim for relief under Federal Constitution's Eighth Amendment.

Declaration Under Penalty of Perjury of Perrion Roberts

Perrion Roberts being competent to make this declaration having personal knowledge of the matters stated there in declaration pursuant to 28 U.S.C. § 1746.

I. Since my incarceration at Tutwiler Prison for women as well as Annex I have personally filed:

A. Inmate Request placed in the designated box provided for the administrative officials concerning my being subjected unwilling, unconstitutional levels of second hand tobacco smoke

1. Warden Gladys Deese - no response
2. Deputy Warden Frank Albright - no response
3. Captain Hewlette - no response
4. Lieutenant Lenita Hawthorne - no response
5. Commissioner Donal Campbell - letters pertaining to my being subjected to second-hand smoke - no response

II. I have reported individual inmates to Correctional Officers on duty which included my bunk mate. She lit a cigarette and dropped fire on my bunk missing my face by only a 1/2 inch, but catching my cotton hairbow on fire. The fire and smoke alarm did not go off. I reported her to the officer. He responded by coming to the living area trying to catch her, but she had put it out. I am being involuntary

D. Smell and taste of tobacco residue in my mouth, hair and clothing. As well as other undetectable effects at this time

VIII. In the past 6 to 8 months I have had to take breathing medication and receive eye drops which I have never had these problems before

IX It is my belief:

A. As a middle aged non-smoker my reduced lung function is due to unwillingly, unconstitutional involuntary exposure to environmental tobacco smoke As well as other known medical factors

B. In complaining to medical staff of my difficult breathing due to the high levels of passive unwilling levels of second-hand smoke (tobacco) that I have been subjected to I believe has been a contributing factor

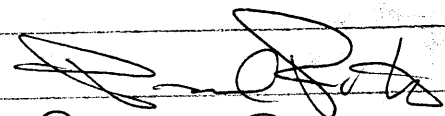
X. During the times that I complained of certain problem signs, and symptoms I was told by the medical staff member about the level of second-hand smoke it was stated to me you are in prison and people smoke

XI. There are officers who during their tour of duty can be observed monitoring and evaluating the dorms and keeping the dorms under control, but not often

XII, Tobacco Smoke is a well known source of indoor Air pollutant, Having some adverse effects on my health. (present / future)

XIII, Cigarette smoke contains Carbon Monoxide, a colorless, odorless, highly poisonous gas; nicotine, a poisonous Alkaloid found in tobacco

My health daily is being continually effected and exposed to involuntary unconstitutional levels of second-hand smoke (tobacco) inside the dorms is such that my future health is unreasonably endangered


Perrion Roberts

Declaration Under Penalty Of Perjury OF Linda F. Knight

Linda F. Knight being competent to make this declaration having personal knowledge of the matter stated there in declares pursuant to 28 U.S.C. § 1746.

My Name is Linda F. Knight 189931, 2005 on or about July me and another inmate Linda Armstrong had to sign a peace agreement stating we could get alone and Sgt. Jones told Linda Armstrong to stop smoking in the living area, every morning she wake-up smoking and drink a cup of coffee, these inmates smoke all the time, we have nine inmates that smoke in this cube, and the cube hold sixteen inmates.

The Officer's comes around when I count time or checking the temperature, most of the Officer's would catch them smoking and still don't write them up, they don't want to do the paper work, I will come before you and testify what really going on here.

P.S help
Please
see

Thank You
Linda F. Knight